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Client/Matter: 008312-0271598

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the amendments presented herein and the following remarks, are respectfully requested.

Prior to this Amendment, claims 6-9, 18-19, 22-23 and 25-35 were pending. By this Amendment, claims 18, 22-23, 25-26 and 33-35 are canceled without prejudice or disclaimer of the subject matter contained therein. Claims 6, 9 and 19 are amended. Claims 7-8 and 27-32 remain unchanged. Claims 36-39 are newly added. Accordingly, after entry of this Amendment, claims 6-9, 19, 27-32 and 36-39 will remain pending. Claims 6 and 27-28 are independent claims.

In the Office Action, an objection was made to claim 33 because of an informality. Claim 9 was rejected under 35 U.S.C. 112, second paragraph, as indefinite. Claims 18 and 19 were rejected under 35 U.S.C. 102(e) as anticipated by Abe et al. (US 6,084,843; hereafter "Abe"). Claims 22-23 were rejected under 35 U.S.C. 102(e) as anticipated by Kitamura et al. (US 5,986,996; hereafter "Kitamura"). Claims 22 and 23 were rejected under 35 U.S.C. 102(e) as anticipated by Kitamura. Claims 25 and 26 were rejected under 35 U.S.C. 102(e) as anticipated by Kajiyama et al. (US 6,181,668; hereafter "Kajiyama"). Claims 6 and 9/6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda (JP 11-185282; hereinafter "Toyoda" in view of Ohnishi et al. (US 6,507,009; hereinafter "Ohnishi") and further in view of Mori et al. (US 5,717,674; hereinafter "Mori"). Claims 7 and 9/7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda in view of Ohnishi in further view of Mori and further in view of Katsuma (US 6,094,308; hereinafter "Katsuma"). Claim 8 and 9/8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda in view of Ohnishi in further view of Mori in further view of Katsuma in further view of Shiono et al. (US 6,414,930; hereinafter "Shiono"). Claim 33 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kouno (US 6,404,709; hereinafter "Kouno") in view of Toyoda and further in view of Ohnishi and further in view of Mori. Claims 34 and 35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura as applied to claim 22 or 23 in view of Tanaka et al. (US 5,513,164; hereinafter "Tanaka"). The Applicants respectfully disagree with these rejections and the objection and, therefore, respectfully traverse same.

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II. Claim Objection

In the Office Action, claim 33 was objected to because of an informality. Claim 33 has been canceled and, thus, the objection has been rendered moot.

III. Rejection under 35 U.S.C. 112

In the Office Action, claim 9 was rejected under 35 U.S.C. 112, second paragraph, as indefinite. While the Applicants respectfully disagree with the rejection, claim 9 has been amended in such a manner that the rejection has been addressed. The Applicants, therefore, respectfully request the withdrawal of the rejection.

IV. Rejections under 35 U.S.C. 102(e)

In the Office Action, claims 18 and 19 were rejected under 35 U.S.C. 102(e) as being anticipated by Abe et al. (US 6,084,843; hereafter "Abe"). Claim 18 has been canceled and, thus, the rejection of claim 18 has been rendered moot. The Applicants respectfully disagree with the rejection of claim 19 and, therefore, respectfully traverse same.

Abe discloses a grating 22A which divides light into substantially three laser beams (Fig. 9, column 7, lines 52-58). Abe does not discuss an optical head device that combines a number of elements including, among other features, that the first surface of the diffraction grating has a first-order diffraction efficiency of almost zero for the first light beam forwarded from the first light source and emits the first-order diffraction light for the second light beam forwarded from the second light source, or that the second surface of the diffraction grating is designed to realize a differential push-pull method of sensing a tracking error sense signal. Thus, Abe does not describe an optical head device that incorporates each and every feature as recited by claim 6. Accordingly, Abe cannot anticipate claim 6. In addition, the Applicants respectfully point out that claim 19 depends from claim 6 and recites further limitations. Thus, the Applicants respectfully submit that claim 19 also cannot be anticipated by Abe and that the rejection should be withdrawn.

In the Office Action, claims 22 and 23 were rejected under 35 U.S.C. 102(e) as being anticipated by Kitamura et al. (US 5,986,996; hereafter "Kitamura"). Claims 22 and 23 have been canceled and, thus, the rejections of claims 22 and 23 has been rendered moot.

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In the Office Action, claims 25 and 26 were rejected under 35 U.S.C. 102(e) as being anticipated by Kajiyama et al. (US 6,181,668; hereafter "Kajiyama"). Claims 25 and 26 have been canceled and, thus, the rejections of claims 25 and 26 has been rendered moot.

V. Rejections under 35 U.S.C. 103(a)

In the Office Action, claims 6 and 9/6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda in view of Ohnishi and further in view of Mori. The Applicants respectfully disagree with the rejection and, therefore, respectfully traverse same.

Toyoda discloses a semiconductor laser component 21b (first light source) emitting a laser light beam with a wavelength of 650 nm and a semiconductor laser component 21b (second light source) emitting a laser light beam with a wavelength of 780 nm, the components 21a and 21b being configured to be adjacent with each other and on substantially the same optical axis (Fig. 2, [0023] in the specification). While Toyoda discloses an objective lens 24 (Fig. 2), Toyoda does not discuss an optical head device where, for example, an objective lens, a first light source and a second light source are disposed such that an optical axis of a second light beam substantially coincides with an optical axis of the objective lens, or that an optical axis of a first light beam is slanted from the optical axis of the objective lens, such that the objective lens gives priority to application of the first light source to the recording medium.

Ohnishi does not correct the deficiency noted with respect to Toyoda. Ohnishi discloses a semiconductor laser 1a (first light source) which emits a laser optical beam with a wavelength of 650 nm and a semiconductor laser 1b which emits a laser optical beam with a wavelength of 780 nm (second light source) (Fig. 10, column 10, lines 2-7). While Ohnishi discloses an objective lens 6 (Fig. 10), Ohnishi does not discuss that the first light source and the second light source are disposed in the orientation discussed above, among other features.

Mori also does not correct the deficiency noted with respect to Toyoda and Ohnishi. Mori discloses a semiconductor laser 1 which outputs a laser light at a wavelength of 635 nm and a semiconductor laser 2 disposed near the semiconductor 1 which outputs a laser light at a wavelength of 780 nm (Fig. 1, column 8, lines 20-24). While Mori discloses a condenser lens 5 (Fig. 1), Mori does not discuss or suggest the combination as recited by the claims.

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Accordingly, the Applicants respectfully submit that the combination of Toyoda, Ohnishi and Mori fails to teach or suggest the invention as recited by claims 6 and/or 9. As a result, the Applicants respectfully submit that claims 6 and 9 are patentable thereover.

In the Office Action, claims 7 and 9/7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda in view of Ohnishi and Mori, and further in view of Katsuma. Applicants respectfully disagree with the rejections and, therefore, respectfully traverse same.

With respect to Toyoda, Ohnishi, and Mori, the Applicants respectfully direct the Examiner's attention to the preceding discussion. As set forth above, the Applicants respectfully submit that the references fail to disclose or suggest the combination of features recited by claims 6 and 9.

The Applicants respectfully point out that Katsuma also does not correct the deficiency noted with respect to Toyoda, Ohnishi and Mori. Katsuma discloses a semiconductor laser 1C which is a light source for emitting laser light at a wavelength of 635 nm and a semiconductor laser 1B which is a light source for emitting laser light at a wavelength of 780 nm (Fig. 6, column 3, lines 13-24). While Katsuma discloses an objective lens 5, Katsuma does not discuss, among other things, that an objective lens, a first light source and a second light source are disposed such that an optical axis of a second light beam of the second light source substantially coincides with an optical axis of the objective lens, that an optical axis of a first light beam of the first light source is slanted from the optical axis of the objective lens, or that the objective lens is designed to give priority to the shorter wavelength light as applied to the recording medium.

Thus, Toyoda, Ohnishi, Mori and Katsuma cannot be combined to render obvious claims 7 and 9. Accordingly, the Applicants respectfully submit the rejection should respectfully be withdrawn.

In the Office Action, claim 8 and 9/8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda in view of Ohnishi, Mori, and Katsuma, and in further view of Shiono. The Applicants respectfully disagree with the rejection and, therefore, respectfully traverse same.

Shiono does not correct the deficiency noted with respect to Toyoda, Ohnishi, Mori and Katsuma. Shiono discloses a semiconductor laser light source 1a having a wavelength $\lambda_1=0.658 \mu\text{m}$, a semiconductor laser light source 1b having a wavelength $\lambda_1=0.80 \mu\text{m}$ and an objective lens 4 (Figs. 9(a) and 9(b), column 12, lines 45-56). Shiono, however, does not discuss, among other things, that an objective lens, a first light source and a second light

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source are disposed such that an optical axis of a second light beam of the second light source substantially coincides with an optical axis of the objective lens, or any of the other features previously discussed.

Thus, Toyoda, Ohnishi, Mori, Katsuma and Shiono may not be combined to render obvious claims 8 and 9.

In the Office Action, claim 33 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kouno in view of Toyoda and further in view of Ohnishi and further in view of Mori. Claim 33 has been canceled and, thus, the rejection has been rendered moot.

In the Office Action, claims 34 and 35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura as applied to claim 22 or 23 in view of Tanaka. Claims 34 and 35 have been canceled and, thus, the rejections have been rendered moot.

Newly added claim 39 depends on claim 6 and recites further limitations. Thus claims 39 is allowable at least for the same reasons claim 6 is believed to be allowable.

VI. Allowable Subject Matter

In the Office Action, the Examiner indicated that claims 27-32 are allowable over the prior art of record. Applicants would like to thank the Examiner for the indication of allowable subject matter in this application.

Newly added claims 36-38 depend on claim 27 and thus claims 36-38 are also allowable at least due to their dependency on allowed claims.

VII. Conclusion

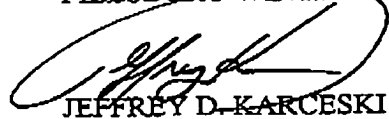
In view of the foregoing, Applicants respectfully submit that the Examiner reconsider the rejections and objection, withdraw the rejections and objection, and pass this application quickly to issue.

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If there are any fees due for entry of this submission that are not otherwise accounted for, Applicants ask that any such fees be charged to our Deposit Account No. 03-3975, with reference to Order No. 008312/0271598.

Respectfully submitted,

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